

Remarks:

This amendment is submitted in an earnest effort to advance this case to issue without delay.

The specification has been amended to eliminate some minor obvious errors. No new matter whatsoever has been added.

The claims have been amended to overcome the §101 and §112 problems.

Claims 4 to 7 have been converted to plain method of use claims that are specifically permitted in a PCT case. 37 CFR 475(b)(2) states "A...national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn only to one of the following combination of categories... A product and a process of use of said product". Thus claims 4 to 7 remain rightfully in the case.


Claim 1 has been amended to define the invention with somewhat greater particularity over US 4,752,594 of Hyuga. This reference does indeed show a dielectric ceramic in a perovskite structure having the overall composition $A(B_{1/3}B_{2/3})O_3$ as in the first alternative of claim 1. The A-position can be substituted by BA and Sr and the B-position by MG, Zn, Ta, and Nb.

As in the instant invention Hyuga has a dielectric material with a composition $(\text{Ba}_{1-x}\text{Sr}_x[(\text{Mg}_{1-y}\text{Zn}_y)_{1/3}(\text{Ta}_{1-z}\text{Nb}_z)_{2/3}]\text{O}_3$. For factors x , y , and z $0 < x, y, z < 1$. Thus since neither x , nor y , nor z can be equal to 0 or 1 the inventive bonding of Hyuga at the A- and B position requires Ba and Sr and Mg and Zn and Ta, and Nb be used.

Thus the limitation r, x , and $z \neq 0$ now in claim 1 clearly excludes the composition of Hyuga by permitting over and under stoichiometry. Nothing in Hyuga suggests this.

Since the §102 rejection under Hyuga is clearly overcome by the current amendment of the claims and nothing in Hyuga suggests the claimed composition, all claims are allowable. Notice to that effect is earnestly solicited.

Respectfully submitted,
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Enclosure: Corrected version
 Substitute Specification
 Substitute Abstract
 Replacement drawing (1 sheet)
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